



PATENT  
Customer No. 22,852  
Attorney Docket No. 08350-3155-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
David A. PIERPONT et al.	)	Group Art Unit: 3747
	)	
Application No.: 10/602,662	)	Examiner: Vo, Hieu T.
	)	
Filed: June 25, 2003	)	
	)	
For: VARIABLE VALVE ACTUATION	)	Confirmation No.: 1977
CONTROL FOR OPERATION AT	)	
ALTITUDE	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination in the above-referenced application.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Copies of the listed foreign and non-patent literature documents are attached.  
Copies of the U.S. patent publications are not enclosed.

English language abstracts of the non-English documents are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the U.S. Patent Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 9, 2004

By: 

Roland G. McAndrews, Jr.  
Reg. No. 41,450

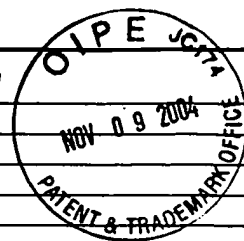
Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>		
				Application Number		10/602,662
				Filing Date		06/25/03
				First Named Inventor		David A. Pierpont
				Art Unit		3747
				Examiner Name		Vo, Hieu T
Attorney Docket Number		08350.3155-00				
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 PATENT & TRADEMARK OFFICE

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials*	Cite No. <sup>i</sup>	Document Number Number-Kind Code <sup>ii</sup> (if known)	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		3,250,068	05/10/1966	Vulliamy	
		4,424,790	01/10/1984	Curtis	
		4,561,253	12/31/1985	Curtis	
		4,815,423	03/28/1989	Holmer	
		5,408,979	04/25/1995	Backlund et al.	
		5,445,128	08/29/1995	Letang et al.	
		5,682,854	11/04/1997	Ozawa	
		5,927,075	07/27/1999	Khair	
		6,026,786	02/22/2000	Groff et al.	
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		6,571,765	06/03/2003	Kuboshima et al.	
		6,651,618	11/25/2003	Coleman et al.	
		6,688,280	02/10/2004	Weber et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>i</sup>	Foreign Patent Document Country Code <sup>iii</sup> Number <sup>iv</sup> Kind Code <sup>v</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>vi</sup>
		JP - 05106415 A2	04/27/1993			Abstract
		JP - 2000145484 A	05/26/2000			Abstract
		JP - 2000120457 A	04/25/2000			Abstract
		WO 98/02653 PCT	01/22/98	Bryant		

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			Art Unit	3747	
			Examiner Name	Vo, Hieu T	
Sheet	2	of	2	Attorney Docket Number	08350.3155-00



NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		EDWARDS et al., "The Potential of a Combined Miller Cycle and Internal EGR Engine for Future Heavy Duty Truck Applications," The Engineering Society for Advancing Mobility Land Sea Air and Space International, International Congress and Exposition, February 23-26, 1998, pages 1-19	
		OBERT, "Internal Combustion Engines and Air Pollution," Based on Internal Combustion Engines, Third Edition, 1973, pages 612-614	
		CHALLEN et al., "Diesel Engine Reference Book, Section Edition," SAE International, 1999, pages 75, 81, 84, 146, and 263-305	
		Yorihiro Fukuzawa et al., "Development of High Efficiency Miller Cycle Gas Engine", Mitsubishi Heavy Industries, Ltd., Technical Review, vol. 38, No. 3, Oct. 2001, pp. 146-150	
		Request for <i>Inter Partes</i> Reexamination Transmittal Form for US Patent 6,688,280, and Attachment to Request for <i>Inter Parties</i> Reexamination Transmittal Form, September 17, 2004	
		Request for <i>Inter Partes</i> Reexamination Transmittal Form for US Patent 6,651,618, and Attachment to Request for <i>Inter Parties</i> Reexamination Transmittal Form, August 27, 2004	
		<a href="http://www.mazda.com.au/corpora/209.html">http://www.mazda.com.au/corpora/209.html</a> , Oct. 16, 2001, pg. 1-6.	

Examiner Signature		Date Considered	
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